Appl. No.: 09/766,362

Art Unit: 1615

Reply to Office Action of 04/08/2009

Patent 1951300-00047

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently Amended) A composition for the nasal administration of an antihistamine in a dry powder form suitable for administration of a drug said antihistamine to the nasal region, the dry powder form comprising:

microparticles comprising the antihistamine and a diketopiperazine wherein said microparticles are sized such that the particles are preferentially retained in the nasal cavity and have a particle size of between about 10 microns and about 20 microns in diameter and wherein more than 50% of the microparticles have a particle size greater than about 10 microns, and wherein the composition does not pass into the pulmonary system.

- 2. (Cancelled)
- 3. (Previously Presented) The composition of claim 1 wherein the antihistamine is selected from the group consisting of chlorpheniramine and azelastine.
- 4. (Previously Presented) The composition of claim 1 wherein the diketopiperazine is a substitution derivative selected from the group consisting of diketomorpholines, diketooxetanes and diketodioxanes.
- 5. (Previously Presented) The composition of claim 1 wherein the diketopiperazine is formed by cyclodimerization of amino acid ester derivatives.
 - 6. (Cancelled)
- 7. (Previously Presented) A drug delivery device for nasal administration comprising

an antihistamine in a dry powder form in a dosage formulation for administration to the nasal region and,

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a device for delivering a measured dose of the antihistamine to the nasal mucosa,

wherein the dry powder form comprises microparticles comprising the antihistamine and a diketopiperazine and said microparticles have a particle size of between about 10 microns and about 20 microns in diameter and wherein more than 50% of the microparticles have a particle size greater than about 10 microns, and wherein the composition does not pass into the pulmonary system.

- 8. (Original) The device of claim 7 wherein the device is a nasal insufflator.
 - 9. (Cancelled)
- 10. (Original) The device of claim 7 wherein the antihistamine is selected from the group consisting of chlorpheniramine and azelastine.
- 11. (Previously Presented) The device of claim 7 wherein the diketopiperazine is a substitution derivative selected from the group consisting of diketomorpholines, diketooxetanes and diketodioxanes.
- 12. (Currently Amended) The device of claim 7 wherein the diketopiperazine diketopiperazine is formed by cyclodimerization of amino acid ester derivatives.
 - 13. (Cancelled)
- 14. (Previously Presented) A method of administering an antihistamine to the nasal region of a patient in need thereof, comprising:

nasally administering a dry powder suitable for nasal administration, wherein the dry powder form comprises microparticles comprising the antihistamine and a diketopiperazine and said microparticles have a particle size of between about 10 microns and about 20 microns in diameter and wherein more than 50% of the microparticles have a particle size greater than about 10 microns; and

wherein the composition does not pass into the pulmonary system.

15. (Cancelled)

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- 16. (Original) The method of claim 14 wherein the antihistamine is selected from the group consisting of chlorpheniramine and azelastine.
- 17. (Previously Presented) The method of claim 14 wherein the diketopiperazine is a substitution derivative selected from the group consisting of diketomorpholines, diketooxetanes and diketodioxanes.
- 18. (Previously Presented) The method of claim 14 wherein the diketopiperazine is formed by cyclodimerization of amino acid ester derivatives.
 - 19. (Cancelled)
- 20. (Previously Presented) The composition of claim 1 wherein said microparticles are formed by spray drying.
- 21. (Previously Presented) The device of claim 7 wherein the microparticles are formed by spray drying.